

**Minutes of the City of Frederick
Mayor and Board of Aldermen Regular Meeting**

October 1, 2020

7:00 p.m.

Virtual Meeting

- I. Mayor Michael O'Connor presided. Participating were Aldermen Kelly Russell, Derek Shackelford, and Roger Wilson and Alderwoman Donna Kuzemchak. Also participating were City Attorney Sandra Nickols and Legislative Clerk Phyllis Hane.

Alderman Ben MacShane was absent from the meeting.
- II. The Mayor led the Pledge of Allegiance.
- III. There was no invocation.
- IV. The Mayor presented a proclamation in honor of National Code Compliance Month. The proclamation was received by Brittany Parks, Division Manager for Code Enforcement.
- V. The minutes of the September 3, 2020 Virtual Public Meeting and the September 10, 2020 Closed Session were previously distributed. On a motion made by Alderman Wilson and seconded by Alderwoman Kuzemchak the Board voted 4-0 to approve the minutes of the September 3, 2020 Public Meeting. On a motion made by Alderman Shackelford and seconded by Alderman Russell the Board voted 4-0 to approve the minutes of the September 10, 2020 Closed Session.
- VI. There were no closed meetings to report.
- VII. Mayor O'Connor announced that Alderman MacShane was absent from the meeting as he continues to deal with a recent family loss. The Mayor reflected on the fact that we have reached October and the pandemic continues to affect our lives daily. He expressed his pride and appreciation for City employees who continue to keep City services operating during this difficult time. The Mayor also encouraged everyone to wear a mask for the sake of family, friends, and others in the community.
- VIII. During Aldermanic comments, Alderwoman Russell echoed the Mayor's comments regarding City staff and the work they continue to do throughout the pandemic. She also announced the Planning Commission has completed its tenth and final workshop on the Comprehensive Plan, which will be presented to the Mayor and Board of Aldermen soon. Finally, Alderman Russell noted October is National Pedestrian Safety Month and reminded everyone to be watchful for pedestrians, especially as we head into the winter months and shorter days.
- IX. There were no public comments.
- X. Consent Agenda
 - A. Release of Sureties

On a motion made by Alderman Wilson and seconded by Alderwoman Kuzemchak the Board approved 4-0 consent agenda items A.1 and A.2:

1. Approval to release Cash Funds in the amount of \$18,285.94 posted by Camelot at Baker Park, LLC, to guarantee stormwater management at Zimmerman at Baker Park, Lot 1, 415 W. 2nd Street, further described in PWA dated 08/14/18.
2. Approval to release Cash Funds in the amount of \$15,277.78 posted by Adam Shaoal, to guarantee stormwater management at Zimmerman at Baker Park, Lot 3, 411 W. 2nd Street, further described in PWA dated 08/14/18.

B. Grants

On a motion made by Alderman Russell and seconded by Alderman Shackelford the Board approved 4-0 consent agenda items B.1 - B.7:

1. Approval of a grant from Health Resources and Services Administration in the amount of \$263,496 for program operations related to health center activities
2. Approval of a grant agreement from Department of Housing and Community Development, Homelessness Solutions Grant program for funds in the amount of \$548,100 for program operations related to homeless services
3. Approval of a grant agreement with U.S. Department of Housing and Urban Development (HUD) in the amount of \$18,618 in order to add revenues and expenditures associated with program operations related to the local Continuum of Care (CoC) planning activities
4. Approval of Emergency Grant Agreement # 2020-5547 in the amount of \$13,447.00 from the Maryland State Arts Council for support of lost earned revenue due to COVID-19 restrictions
5. Acceptance of a U.S. Department of Justice, Office of Justice Programs 2020 Frederick Equipment and Technology Grant in the amount of \$37,903
6. Acceptance of a Maryland Department of Transportation (MDOT) Grant in the amount of \$40,000
7. Acceptance of a 2020 State Homeland Security grant in the amount of \$11,440

C. Special Ordinances

On a motion made by Alderwoman Kuzemchak and seconded by Alderman Wilson the Board approved 4-0 consent agenda items C.1 – C.5:

1. Special Ordinance S-20-26 to amend the budget for Department 6111, DHHS/FCAA, in the amount of \$548,100 in order to add revenues and expenditures associated with program operations related to homeless services

2. Special Ordinance S-20-27 to amend the budget for Department 6111, DHHS/FCAA in the amount of \$18,618 in order to add revenues and expenditures associated with program operations related to the local Continuum of Care (CoC) planning activities
3. Special Ordinance S-20-28 to amend the FY 2021 Budget to include revenue and associated expenditures for a U.S. Department of Justice, Office of Justice Programs 2020 Frederick Equipment and Technology Grant
4. Special Ordinance S-20-29 to amend the FY 2021 Budget to include revenue and associated expenditures for a Maryland Department of Transportation Highway Safety Grant
5. Special Ordinance S-20-30 to amend the FY 2021 Budget to include revenue and associated expenditures for a U.S. Department of Homeland Security 2020 State Homeland Security Grant.

XI. Public Hearing

1. On a motion made by Alderman Russell and seconded by Alderman Wilson the Board approved 3-1, with Aldermen Russell, Shackelford and Wilson in favor and Alderwoman Kuzemchak opposed, Ordinance G-20-20 to amend the Code of the City of Frederick, Appendix A, Land Management Code, by amending the Official Zoning Maps to apply the IST zone on a 12.74 acre portion of 515 S Market Street (the portion of the Mt. Olivet Cemetery subject to a previous rezoning to remove the IST zone), with the following findings:
 - The proposed use is permitted in the IST zone and the measures for citing a facility specific to IST uses have been considered and further compliance with all the applicable criteria of Section 409 will be evaluated through subsequent development process.
 - The proposed construction of senior living facility is compatible with the character of the existing uses in the vicinity which include a variety of residential and nonresidential land uses.
 - The proposed rezoning is in harmony with the Municipal Growth and Housing Elements of the 2010 Comprehensive Plan.

There were no public comments.

2. On a motion made by Alderwoman Kuzemchak and seconded by Alderman Russell the Board approved 3-1 with Aldermen Russell and Shackelford and Alderwoman Kuzemchak in favor and Alderman Wilson opposed, Ordinance G-20-21 to amend the Code of the City of Frederick, Appendix A, Land Management Code, by amending the Official Zoning Maps to apply the Historic Preservation Overlay (HPO) zone to approximately 2.47 acres of a property identified as 636 Solarex Court, while maintaining the Light Industrial (M1) base zone, with the following findings:
 - The site exhibits significance in design or construction by embodying distinctive characteristics of type, period or method of construction

associated with the City in that it was built in the style of a downtown building outside the downtown area.

- The structure is more than 50 years old.
- The Planning Commission and Historic Preservation Commission both recommended this property be protected with a Historic Preservation Overlay.
- The action is consistent with the Comprehensive Plan and eligible per the City's HPO guidelines.

There were no public comments.

XII. On a motion made by Alderman Wilson and seconded by Alderwoman Kuzemchak the Board approved 4-0 the appointment of Shuan Butcher to the Board of Supervisors of Elections for a term of October 2, 2020 to May 31, 2022.

XIII. During Aldermanic comments and new business, Alderwoman Kuzemchak stated how much she appreciates the professionalism demonstrated by the Board, as well as the representatives of AstraZenica, in carrying on a discussion in which not all parties agreed.

Alderman Wilson noted October is Breast Cancer Awareness month and stated he hopes to see City Hall turned pink.

XIV. Mayor O'Connor stated the City has issued proclamations in honor of Breast Cancer Awareness and Domestic Violence Awareness for the month of October. He also commented that Fall is traditionally festival season in Frederick, and that looks different this year. Nevertheless, Octoberfest is scheduled to move forward as O2GO this year, and the annual Tech Games, usually a large event taking place in Baker Park, will continue virtually. He expressed his appreciation for organizations finding a way to move forward in the current environment, since the work they do means so much for the lives of the populations they serve.

XV. There were no committee reports.

XVI. There were no director reports.

XVII. There were no public comments.

There being no further official business, the meeting was adjourned at 8:51 p.m.

Respectfully submitted,

Phyllis Hane
Legislative Clerk